

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 06-545-01
	:	
v.	:	
	:	CIVIL ACTION NO. 09-0765
QOURTISE SHERMAN	:	

ORDER

AND NOW, this 23rd day of November, 2009, upon consideration of the Motion to Vacate/Set Aside/Correct Sentence Under 28 U.S.C. §2255 (Document No. 138) and the government's response, it is **ORDERED** as follows:

1. The defendant's motion is **DENIED**; and
2. The defendant having failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue.

/Timothy J. Savage
TIMOTHY J. SAVAGE, J.